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09/024,923	02/17/1998	DAN KIKINIS	P3295	8936

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EXAMINER

KWOH, JASPER C

ART UNIT	PAPER NUMBER
2663	

DATE MAILED: 02/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No. 09/024,923	Applicant(s) KIKINIS
Examiner Jasper Kwoh	Art Unit 2663
	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1)  Responsive to communication(s) filed on Jan 28, 2002

2a)  This action is FINAL.      2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

4)  Claim(s) 1, 3-7, 9-13, and 15-17 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1, 3-7, 9-13, and 15-17 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved.

12)  The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a)  All b)  Some\* c)  None of:

1.  Certified copies of the priority documents have been received.
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

15)  Notice of References Cited (PTO-892)

18)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

16)  Notice of Draftsperson's Patent Drawing Review (PTO-948)

19)  Notice of Informal Patent Application (PTO-152)

17)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_

20)  Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Continued Prosecution Application***

1. The request filed on 1/28/02 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/024,923 is acceptable and a CPA has been established. An action on the CPA follows.

### ***Claim Objections***

2. Claim 15 is objected to because of the following informalities: it is depending from a cancelled claim 14. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 5-6, 11-12, 15-16 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claims 5 and 11 recite the limitation "the incoming IPNT call" in line 4. There is insufficient antecedent basis for this limitation in the claim. It is unclear if the incoming IPNT call is the same call as the IPNT call received from a caller.

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6. Claim 15 recites the limitations "the first network" and "the second network" in lines 1 and 2 respectively. There is insufficient antecedent basis for this limitation in the claim.

7. Claims 16 and 17 recite the limitations "first network protocol and second network protocol" in lines 1-2 and 1-3 respectively. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 103***

8. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

9. Claims 1, 7, 13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al.

Regarding claims 1 and 13, Williams et al. discloses bridge unit comprising: a trunk-line port for receiving and placing COST calls (i.e. 14, 15, the calls are received at those locations the lines are inherently the trunk lines and the connection of those lines to the RBOC and HOST exist ports); a data network port for receiving and placing IPNT calls (i.e. 15, 16, col. 5, ll. 21-24; the connection between Host the line 16 includes ports that allows the transmission and receiving of internet calls); conversion circuitry (i.e. 15, col. 5, ll. 15-21; cards convert voice to digital data and formats data into internet protocol); control routines wherein a first call is dynamically converted and placed on the other network (i.e. col. 5, ll. 15-25; it inherent that this process is used as the routine to place the calls); and this allows for two people to have a live

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conversation (inherent to the system). Williams does not specifically disclose dynamically allowing two people to engage in a live conversation where one is on the internet and the other is on a COST network. However, the background of Williams et al. teaches that Dialogic Inc. will have a product where a user can place the call from either the telephone or a PC (i.e. col. 1, ll. 51-60). It would have been obvious to an ordinary person skilled in the art at the time of the invention to include dynamically allowing two people to engage in a live conversation where one is on the internet using the PC as taught by the background of Williams and the other is on a COST network as taught with the bridge unit of Williams et al. in order to increase the flexibility of the system by allowing at least one of the caller to use the multimedia computer to communicate instead of a telephone.

Regarding claim 7, Williams et al. discloses a method for converting calls comprising: connecting a COST trunk line to a trunk-line port (i.e. 14, 15; the calls are received at those locations the lines are inherently the trunk lines and the connection of those lines to the RBOC and HOST exist ports); connecting a data network line to a data network port (i.e. 15, 16, col. 5, ll. 21-24; the connection between Host the line 16 includes ports that allows the transmission and receiving of internet calls); receiving a first call (i.e. fig. 1A, inherent that the clients at the phones will make and receive calls); placing a second call (i.e. 1B; inherent that the clients at the phones will make and receive calls); and dynamically convert data (i.e. col. 5, ll. 15-25; the card converts analog voice to digital data); and this allows for two people to have a live conversation (inherent to the system). Williams does not specifically disclose dynamically allowing two

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people to engage in a live conversation where one is on the internet and the other is on a COST network. However, the background of Williams et al. teaches that Dialogic Inc. will have a product where a user can place the call from either the telephone or a PC (i.e. col. 1, ll. 51-60). It would have been obvious to an ordinary person skilled in the art at the time of the invention to include dynamically allowing two people to engage in a live conversation where one is on the internet using the PC as taught by the background of Williams and the other is on a COST network as taught with the bridge unit of Williams et al. in order to increase the flexibility of the system by allowing at least one of the caller to use the multimedia computer to communicate instead of a telephone.

Regarding claim 15, Williams et al. disclose the first network being a PSTN (i.e. 11-14) and the second the internet (i.e. 10).

10. Claims 3-4 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al. in view of Ito et al.

Williams et al. does not specifically discloses retrieving IP address using a telephone number and accessing a look-up table to place a call. However, Ito et al. discloses address using a telephone number and accessing a look-up table to place a call (i.e. fig. 1, 4; the router has an IP address-telephone conversion to work with the routing table). It would have been obvious to an ordinary person killed in the art at the time of the invention to include a converting table as taught by Ito et al. with the method and apparatus of Williams et al. in order to route calls from IP environment to PSTN and vis versa.

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11. Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al.

Williams do not specifically disclose a bridge between two COST or DNT. However, Williams teaches that two different networks with two different protocols needs to be connected by a bridge as described above. Therefore it would have been obvious to modify by including converting protocols of two COST and two DNT with the bridge as described above in order to have the user to communicate through different systems.

12. Claims 5-6 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al. In view of Iwami et al.

Regarding claims 5-6 and 11-12, Williams et al. do not specifically disclose negotiating with the caller to ascertain the number using an interactive voice response unit (IVR). However, Iwami et al. teach the use of IVR (i.e. fig. 5, the flowchart shows the usage of a voice communication request server) in a voice communication system to obtain the desired address or phone number (i.e. fig. 5, 124 using the received request the communication is selected). It would have been obvious to an ordinary person skilled in the art at the time of the invention to include an IVR to audibly receive the desired information as taught by Iwami et al. with the system and method of Williams et al. in order to provide customers with greater ease and friendlier atmosphere when placing a call.

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***Response to Arguments***

13. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jasper Kwoh whose telephone number is (703) 305-0101.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen, can be reached on (703) 308-5340.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

15. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Jasper Kwoh

February 23, 2002



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